

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

IN RE: Dan Calloway Chitwood \* Case No.: 08-22757  
Mary Wanda Chitwood \*  
\* Chapter 13  
DEBTORS \*  
\* Judge: REB

**AMENDMENT TO SCHEDULES**

COMES NOW the Debtor in the above-styled action and hereby amend their Plan and Schedules as follows:

1. Schedule I is amended as attached.
2. Schedule J is amended as attached.

WHEREFORE, Debtor pray that this Amendment be read and considered and for such other relief as the Court deems just and proper.

Respectfully submitted this 13<sup>th</sup> day of December 2008.

/s/  
Chris Carouthers, Bar No. 111175  
Attorney for Debtor  
Chris Carouthers & Associates  
20 Executive Park Drive, West, NE  
Suite 2015  
Atlanta, GA 30329

B6I (Official Form 6I) (12/07)

In re Dan Calloway Chitwood  
Mary Wanda ChitwoodCase No. 08-22757

Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S): <b>None.</b>	AGE(S):
<b>Married</b>		
<b>Employment:</b>	<b>DEBTOR</b>	<b>SPOUSE</b>
Occupation	<b>Retired</b>	<b>Retired</b>
Name of Employer		
How long employed		
Address of Employer		

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)  
2. Estimate monthly overtime

DEBTOR	SPOUSE
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>

3. SUBTOTAL

\$ <u>0.00</u>	\$ <u>0.00</u>
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## 4. LESS PAYROLL DEDUCTIONS

- a. Payroll taxes and social security
- b. Insurance
- c. Union dues
- d. Other (Specify): \_\_\_\_\_

\$ <u>0.00</u>	\$ <u>0.00</u>

## 5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ <u>0.00</u>	\$ <u>0.00</u>
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## 6. TOTAL NET MONTHLY TAKE HOME PAY

\$ <u>0.00</u>	\$ <u>0.00</u>
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7. Regular income from operation of business or profession or farm (Attach detailed statement)  
8. Income from real property  
9. Interest and dividends  
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above  
11. Social security or government assistance

(Specify): Social Security Benefits

\$ <u>1,120.00</u>	\$ <u>470.00</u>
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12. Pension or retirement income

\$ <u>0.00</u>	\$ <u>0.00</u>
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13. Other monthly income

\$ <u>0.00</u>	\$ <u>0.00</u>
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(Specify): Family Contribution

\$ <u>750.00</u>	\$ <u>0.00</u>
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\$ <u>0.00</u>	\$ <u>0.00</u>
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## 14. SUBTOTAL OF LINES 7 THROUGH 13

\$ <u>1,870.00</u>	\$ <u>470.00</u>
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## 15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ <u>1,870.00</u>	\$ <u>470.00</u>
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## 16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ <u>2,340.00</u>	
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(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

B6J (Official Form 6J) (12/07)

In re Dan Calloway Chitwood  
Mary Wanda ChitwoodCase No. 08-22757

Debtor(s)

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>805.00</u>
a. Are real estate taxes included?	Yes <u>X</u> No _____
b. Is property insurance included?	Yes <u>X</u> No _____
2. Utilities:	
a. Electricity and heating fuel	\$ <u>200.00</u>
b. Water and sewer	\$ <u>39.00</u>
c. Telephone	\$ <u>40.00</u>
d. Other <u>Cellular phone</u>	\$ <u>75.00</u>
3. Home maintenance (repairs and upkeep)	\$ <u>25.00</u>
4. Food	\$ <u>300.00</u>
5. Clothing	\$ <u>35.00</u>
6. Laundry and dry cleaning	\$ <u>10.00</u>
7. Medical and dental expenses	\$ <u>60.00</u>
8. Transportation (not including car payments)	\$ <u>150.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ <u>0.00</u>
10. Charitable contributions	\$ <u>0.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	\$ <u>0.00</u>
b. Life	\$ <u>0.00</u>
c. Health	\$ <u>0.00</u>
d. Auto	\$ <u>85.00</u>
e. Other	\$ <u>0.00</u>
12. Taxes (not deducted from wages or included in home mortgage payments)	
(Specify) <u>Car Tax &amp; Tags</u>	\$ <u>14.00</u>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	
a. Auto	\$ <u>0.00</u>
b. Other <u>Second Mortgage</u>	\$ <u>202.00</u>
c. Other	\$ <u>0.00</u>
14. Alimony, maintenance, and support paid to others	\$ <u>0.00</u>
15. Payments for support of additional dependents not living at your home	\$ <u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>
17. Other	
Other	\$ <u>0.00</u>
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$ <u>2,040.00</u>
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:	
20. STATEMENT OF MONTHLY NET INCOME	
a. Average monthly income from Line 15 of Schedule I	\$ <u>2,340.00</u>
b. Average monthly expenses from Line 18 above	\$ <u>2,040.00</u>
c. Monthly net income (a. minus b.)	\$ <u>300.00</u>

B6 Summary (Official Form 6 - Summary) (12/07)

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **Dan Calloway Chitwood,  
Mary Wanda Chitwood**Case No. **08-22757**

Debtors

Chapter **13**

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	125,000.00		
B - Personal Property	Yes	3	11,912.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		128,225.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule F)	Yes	2		2,392.48	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		6,185.61	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			2,340.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			2,040.00
Total Number of Sheets of ALL Schedules		15			
	Total Assets		136,912.00		
	Total Liabilities			136,803.09	

Form 6 - Statistical Summary (12/07)

**United States Bankruptcy Court  
Northern District of Georgia**

In re **Dan Calloway Chitwood,  
Mary Wanda Chitwood**

Case No. 08-22757

Debtors

Chapter 13

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	<b>0.00</b>
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule F)	<b>2,392.48</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	<b>0.00</b>
Student Loan Obligations (from Schedule F)	<b>0.00</b>
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	<b>0.00</b>
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	<b>0.00</b>
<b>TOTAL</b>	<b>2,392.48</b>

State the following:

Average Income (from Schedule J, Line 16)	<b>2,340.00</b>
Average Expenses (from Schedule J, Line 18)	<b>2,040.00</b>
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	<b>0.00</b>

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	<b>3,225.00</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	<b>2,392.48</b>
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	<b>0.00</b>
4. Total from Schedule F	<b>6,185.61</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	<b>9,410.61</b>

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Mary Wanda Chitwood  
Debtors

Case No.: 08-22757  
Judge: REB

**VERIFICATION**

Comes now that undersigned and hereby affirm that the information contained in the attached amendment is true and correct to the best of my/our knowledge.

Respectfully submitted this 13th day of December 2008.

\_\_\_\_\_*/s/*\_\_\_\_\_  
Dan Calloway Chitwood

\_\_\_\_\_*/s/*\_\_\_\_\_  
Mary Wanda Chitwood

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

Certificate of Service

The undersigned hereby certifies that the below listed individuals have been served with a true and correct copy of the attached pleading by copies of same in a properly addressed envelope with adequate postage thereon and the depositing of same in the United States Mail.

This 15th day of December, 2008.

/s/  
Chris Carouthers, Bar No.: 111175

Served:

Nancy J. Whaley  
Chapter 13 Trustee  
303 Peachtree Center Avenue  
Suntrust Garden Plaza, Suite 120  
Atlanta, GA 30303

Dan and Mary Chitwood  
135 Cedar Creek Drive  
Alto, GA 30510